

SEP 28 2011

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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
LYNCHBURG DIVISION

LARRY W. BROOKS, )  
Plaintiff, ) Civil Action No. 6:10cv00030  
v. )  
MICHAEL J. ASTRUE, ) By: Michael F. Urbanski  
Commissioner of Social Security, ) United States District Judge  
Defendant. )

ORDER

This matter was referred to the Honorable Pamela Meade Sargent, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b)(1)(B), for proposed findings of fact and a recommended disposition. The Magistrate Judge filed a report and recommendation on September 6, 2011 recommending that plaintiff's motion for summary judgment be denied, the Commissioner's motion for summary judgment be granted and the Commissioner's final decision be affirmed. Plaintiff has filed objections to the report and recommendation, and the Commissioner has filed a response to those objections. Having considered the objections and the arguments raised by counsel, and upon review of the record, the court is of the opinion that the report should be adopted in its entirety. It is accordingly

**ORDERED** and **ADJUDGED** that plaintiff's motion for summary judgment (Docket #15) be **DENIED**, that the Commissioner's motion for summary judgment (Docket #17) be **GRANTED**, that the Commissioner's final decision be **AFFIRMED**, and that this matter be **STRICKEN** from the active docket of the court.

The Clerk is directed to send a certified copy of this Order to all counsel of record.

Entered: September 28, 2011

*ts/ Michael F. Urbanski*

Michael F. Urbanski  
United States District Judge